

**REMARKS**

The current response is in reply to the office action rejection dated December 1, 2005. The rejection rejected all claims 1 through 20 that were pending in the application.

The majority of the claims were rejected under 35 U.S.C. 101. As a result, claims 1 through 20 have been cancelled and rewritten to conform with the requirements of section 101. Specifically, the elements of these claims do not require the physical incorporation of a human being. New claims 21 through 40 therefore meet the requirements of 35 U.S.C. 101.

The present invention is directed to devices and methods for training emergency personnel to remain below a safety critical elevation in a fire situation. A scan plane is established at a safety critical vertical elevation. A wearable sensor is configured to emit an alarm signal when the sensor intrudes into the plane. The goal of the invention is to teach emergency personnel to stay low in an emergency situation, such as a smoke filled room where the safest locations are in proximity to the floor.

The office action rejection rejected a majority of the previous claims as being anticipated by U.S. Patent Number 4,745,882 (hereinafter Yarnall), and obvious in view of Yarnall and U.S. Patent Number 6,127,926 (hereinafter Dando). In view of the new claims, both these references are clearly differentiated.

Yarnall is directed to an electronic confinement system to contain a pet animal. A pair of signal broadcasting wire loops are arranged to define a horizontal confinement area. This system is not configured to establish a vertical zone, but rather a horizontal zone which prevents the animal from escaping from the confinement area.

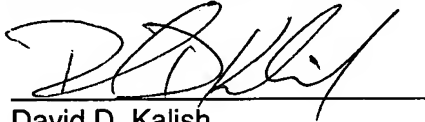
Dando discloses an intrusion sensing system that establishes vertical surface protection to detect disturbances in a microwave beam sent from a transmitter to a receiver. This system includes both the transmitter and receiver are mounted within the secured location. The receiver

is not a wearable device adapted to be worn by the subject that breaks the vertical protection area.

Therefore, neither Yarnall nor Dando either alone or in combination disclose the subject matter or new claims 21 through 40. For these reasons, it is respectfully requested that the present application that the present application is in condition for allowance and notice to such effect is respectfully requested. If any issues remain unresolved, the undersigned attorney requests a telephone interview to expedite allowance and issuance.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.

A handwritten signature in black ink, appearing to read 'D. Kalish', is written over a horizontal line.

David D. Kalish  
Registration No.: 42,706

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P.O. Box 5  
Raleigh, NC 27602  
Telephone: (919) 854-1844  
Facsimile: (919) 854-2084